

charge coupled device, a complementary metal oxide semiconductor sensor, a photo transistor, a position sensitive detector, a camera or a scanner.

Please note that no new matter was added as these amendments were supported by the original claims. Accordingly, element 9 in Figure 10 is the camera or scanner. Accordingly, the objection to the drawings should be withdrawn.

The Office Action rejected claims 1-40 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. More particularly, the Examiner states that "[i]t appears that Applicant has failed to disclose an embodiment in which there is a transparent electrode layer without the need for an additional electrode overlaying the luminescence layer." However, each of Figure 1-2 and 8-10 show embodiments in which there is a transparent electrode layer 2 without the need for an additional electrode overlaying the luminescence layer.

3. Accordingly, the rejection should be withdrawn.

The Office Action rejected claims 41-43 under 35 U.S.C. §102(b) as being anticipated by Hallibert et al. (hereinafter "Hallibert"), U.S. Patent No. 6,002,786. The rejection is respectfully traversed.

The Examiner argues that Hallibert discloses a luminescence layer 14 overlaying a transparent electrode layer 12 and a stray light shield layer or protective layer 32 (or the unlabeled layer directly underneath the finger) overlaying the luminescence layer 14. The Examiner further refers to Figure 1 and element 30 as a penetrating control layer overlaying the luminescence layer configured to limit an amount of a substance which may pass through. However, independent claims 41-43 each recite, *inter alia*, a penetrating control layer overlaying

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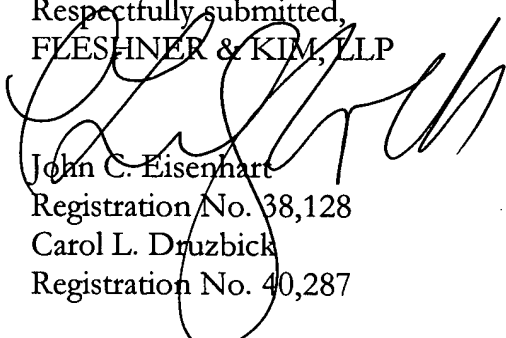
the luminescence layer, wherein the penetrating control layer is configured to limit an amount of a substance which may pass through said penetrating control layer. Element 30 of Hallibert is designed to reflect light. Element 32 of Hallibert is merely an opaque film. Neither of these elements is designed to limit an amount of a substance which may pass therethrough.

Accordingly, the rejection of independent claims 41-43 over Hallibert should be withdrawn.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Carol L. Druzbeck**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP


John C. Eisenhart
Registration No. 38,128
Carol L. Druzbeck
Registration No. 40,287

P.O. Box 221200
Chantilly, Virginia 20153-1200
703 766-3701 DYK:CLD/kah

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Please direct all correspondence to Customer Number 34610